

O L S H A N

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December 16, 2015

BY ECF

Hon. William H. Pauley III  
United States District Judge  
United States Court House  
500 Pearl Street  
New York, New York 100007

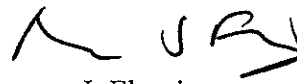
Re: Gemini Master Fund, Ltd. et al. v. Electronic Cigarettes International Group  
Case No. 1:15-CV-03378 (WHP)

Dear Judge Pauley:

My firm represents plaintiffs Gemini Master Fund, Ltd. and Black Mountain Equities, Inc.

I write jointly with defendant's counsel to advise the Court that the parties have met and reached an agreement regarding the basic financial terms to settle the case. Counsel for the parties are now drafting documentation for the settlement. We wish to advise the Court of these events, so that its resources are not wasted by addressing the pending Motion for Summary Judgment. The settlement will be contingent on obtaining Court approval for the issuance of shares of Electric Cigarette common stock pursuant to Section 3(a)(10) of the Securities Act of 1933. We therefore request that the Court not dismiss the case until we have completed the settlement process.

Respectfully Submitted,

  
Thomas J. Fleming

cc: Lawrence Hirsh., Esq., *Attorney for Defendant* (by ECF)